

## **EXHIBIT 2**

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
LAREDO DIVISION

\_\_\_\_\_  
JAMES KUYKENDALL,

Plaintiff,

Vs.

AMAZON STUDIOS, LLC,  
et al.,

Defendant.  
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CIVIL ACTION No.

5:20-cv-219

ZOOM VIDEOTAPED DEPOSITION ANDREAS OLYMBIOU  
Los Angeles, California  
Wednesday, October 6, 2021  
Volume I

Reported by:

LORI M. BARKLEY

CSR No. 6426

Job No. 4831287

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1 UNITED STATES DISTRICT COURT  
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3 FOR THE SOUTHERN DISTRICT OF TEXAS  
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5 LAREDO DIVISION

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JAMES KUYKENDALL,  
Plaintiff,  
Vs.  
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et al.,  
Defendant.

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Zoom Videotaped deposition of ANDREAS  
OLYMBIOU, Volume I, taken on behalf of Plaintiff, at  
Los Angeles, California, beginning at 1:29 p.m., and  
ending at 3:02 p.m., on Wednesday, October 6, 2021,  
before LORI M. BARKLEY, Certified Shorthand Reporter  
No. 6426.

1 APPEARANCES :

2

3 FOR THE PLAINTIFF:

4 DICELLO LEVITT & GUTZLER

5 BY: CARMEL KAPPUS, ESQ.

6 BY: F. FRANKLIN AMANAT, ESQ.

7 BY: MEGAN MCKENZIE, ESQ.

8 444 Madison Avenue, Fourth Floor

9 New York, New York 10022

10 (646) 933-1000

11 ckappus@dicellolevitt.com

12 famanat@dicellolevitt.com

13 mmckenzie@dicellolevitt.com

14

15 FOR IPC TELEVISION LLC:

16 HAYNES & BOONE LLP

17 BY: LAURA LEE PRATHER, ESQ.

18 600 Congress Ave Suite 1300,

19 Austin, Texas 78701

20 laura.prather@haynesboone.com

21 - and -

22 BY: ALEX B. LUTZKY, ESQ.

23 112 East Pecan Street, Suite 1200

24 San Antonio, Texas 78205

25 alex.lutzky@haynesboone.com

1 APPEARANCES (continued):

2  
3 FOR THE WITNESS:

4 CAMERON STRACHER PLLC

5 BY: CAMERON STRACHER, ESQ.

6 BY: SARA TESORIERO, ESQ.

7 51 Astor Place, Ninth Floor

8 New York, New York 10003

9 (646) 992-3850

10 cam@stracherlaw.com

11 sara@stracherlaw.com

12  
13 FOR AMAZON STUDIOS, LLC:

14 DAVIS WRIGHT TREMAINE LLP

15 BY: CYDNEY SWOFFORD FREEMAN, ESQ.

16 865 South Figueroa Street, Suite 2400

17 Los Angeles, California 90017

18 (213) 633-8612

19 cydneyfreeman@dwt.com

20  
21 ALSO PRESENT:

22 Marisa Fermin

23 (Chief Legal Officer of Industrial Media)

24 Videographer: Brian Keilhack

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## **WITNESS**

## **EXAMINATION**

**ANDREAS OLYMBIOU**

**Volume I**

**BY MS. KAPPUS**

**10**

## **EXHIBITS**

### **NUMBER**

### **DESCRIPTION**

### **PAGE**

**Exhibit 1 Production Services Agreement  
between IPC and Amazon  
Alternative, LLC, dated July 17,  
2018, Bates stamped IPC0125  
through IPC0150**

**23**

**Exhibit 2 Article by Jyotsna Bosotia,  
dated May 15, 2020, 7 pages**

**25**

**Exhibit 4 E-mail Chain from July 2020,  
Bates stamped IPC0067 through  
IPC0068**

**31**

## 1 INDEX (Continued):

## 2 EXHIBITS

3 NUMBER DESCRIPTION PAGE

4 Exhibit 5 "The Last Narc" Executive Producer 33

5 and Director Agreement between

6 OPC Television, LLC and Tiller

7 Russell, with Lender Tillerman

8 Films, Amendment, Bates stamped

9 RUSSELL0001 through RUSSELL0023

10

11 Exhibit 6 "The Last Narc" Executive 33

12 Producer and Director Agreement

13 between OPC Television, LLC and

14 Tiller Russell, with Lender

15 Tillerman Films, Amendment, Bates

16 stamped RUSSELL0001 through

17 RUSSELL0023

18

19 Exhibit 7 E-mail Chain from August and 34

20 October 2018, Bates stamped

21 IPC0113 through IPC0115

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23 Exhibit 8 Screenshot of IPC's Website, 37

24 24 pages

25

1 INDEX (Continued) :

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INSTRUCTION NOT TO ANSWER

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1 Los Angeles, California; Wednesday, October 6, 2021

2 1:29 p.m.

3  
4 VIDEO OPERATOR: Good afternoon. We are  
5 going on the record at 1:29 p.m., on October 6th,  
6 2021.

7 Please note that today's proceedings are  
8 being videotaped, and anything being said while on  
9 the record may be picked up and put on the record.

10 Furthermore, audio and video recording will  
11 continue to take place unless all parties agree to go  
12 off the record.

13 This is Media Unit 1 of the video recorded  
14 deposition of Andrew Olymbiou, in the matter of Hamie  
15 Kuykendall versus Amazon Studios, LLC, et al., filed  
16 in the United States District Court for the Southern  
17 District of Texas, Lored Division. Case number  
18 5:20-cv-219.

19 This deposition is being held at  
20 Intellectual Property Corporation, located at Van  
21 Nuys, California 91411.

22 My name is Brian Keilhack, from the firm  
23 Veritext, and I'm the videographer. The court  
24 reporter is Lori Barkley, from the firm Veritext.

25 Counsel, at this time I ask that you

1 introduce yourselves and your affiliations starting  
2 with our deposing counsel.

3 After introductions have been made, the  
4 court reporter will swear in the witness.

5 Thank you very much.

6 MS. KAPPUS: My name is Carmel Kappus from  
7 the law firm Dicello Levitt & Gutzler, and my firm  
8 represents Hymie Kuykendall in this matter. And I'm  
9 here with my colleague, Frank Amanat, and I'm also  
10 here appearing on Zoom is our colleague Megan  
11 McKenzie.

12 MS. PRATHER: I'm Laura Prather. I'm with  
13 the law firm of Haynes & Boone. I'm here with my  
14 colleague, Alex Lutzky, who is appearing by Zoom, and  
15 we represent IPC Corporation.

16 MR. STRACHER: My name is Cameron Stracher.  
17 I'm with the firm of Cameron Stracher PLLC, and on  
18 Zoom with us on my associate, Sara Tesoriero, New  
19 York, and we represent the individually named  
20 defendants in this lawsuit.

21 MS. FERMIN: My name is Marisa Fermin, and  
22 I'm chief legal officer of Industrial Media, a parent  
23 of IPC.

24 MS. FREEMAN: I'm Cydney Swofford Freeman  
25 with the firm Davis Wright Tremaine LLC, representing

1 Defendant Amazon Studios, LLC.

2

3 ANDREAS OLYMBIOU,

4 having been administered an oath, was examined and  
5 testified as follows:

6

7 EXAMINATION

8 BY MS. KAPPUS:

9 Q. Good afternoon. My name is Carmel Kappus.  
10 As I said previously, my firm represents the  
11 plaintiff in this matter.

12 Before we begin, how do you pronounce your  
13 last name?

14 A. It's Olymbiou.

15 Q. Olymbiou. Nice to meet you, Mr. Olymbiou.  
16 Have you ever been deposed before?

17 A. No, I've not.

18 Q. Have you ever testified in a legal  
19 proceeding before?

20 A. No, I've not.

21 Q. Okay. So just some basic instructions. You  
22 are sworn to tell the truth today, so we ask that you  
23 answer all questions truthfully.

24 When I ask a question, I'm just going to ask  
25 you to respond verbally because the court reporter

1 not necessarily incentivized on the distribution of  
2 said film.

3 BY MS. KAPPUS:

4 Q. Do you know if there were multiple bidders  
5 for the series "The Last Narc"?

6 A. I don't know.

7 Q. Before picking a distributor, does IPC do  
8 its own internal analysis of profitability before  
9 picking a distributor?

10 A. No.

11 Q. Can you tell me what factors go into picking  
12 a distributor?

13 A. So when we have a film, it's only an idea  
14 that we've developed. We spend let's say 20,000  
15 putting together here's the concept for a film. We  
16 would then go to the different networks, and ideally  
17 more than one wants to buy it, with the main factor  
18 is how much -- that the -- how much they'll pay for  
19 the production of the -- of the film, and also what  
20 the best home for it is.

21 So the business model for IPC is the  
22 producing of the film because we get a production  
23 fee, not distribution of the -- that's for the  
24 networks to make back the -- the cost of making the  
25 film.

1 Q. Does IPC have an interest in having viewers  
2 in the United States as well as worldwide?

3 MR. STRACHER: Objection to form.

4 MS. PRATHER: Objection to form.

5 MR. AMANAT: I didn't hear. There was some  
6 side comment there. What was the side comment?

7 MS. PRATHER: No side comment. It was just  
8 an objection form, simultaneously made by myself and  
9 Mr. Stracher.

10 MR. AMANAT: Okay. I think you were talking  
11 at the same time, so it got a little bit garbled.

12 THE WITNESS: It's not a factor when picking  
13 a -- someone to make the show with.

14 BY MS. KAPPUS:

15 Q. But after IPC picked Amazon for this  
16 particular project, did IPC want the most viewers  
17 possible for the series in the U.S. and also outside  
18 of the U.S.?

19 MS. PRATHER: Objection, form.

20 BY MS. KAPPUS:

21 Q. You can answer.

22 A. In terms of in the U.S., we're not  
23 financially incentivized for viewers. We, of course,  
24 want the show to do well 'cause we want the good  
25 reputation, but in terms of financial monetization,

1 it doesn't impact us at all.

2 Outside the U.S., I can't answer that. It  
3 depends on a variety of factors. From IPC's  
4 perspective, they could not add -- they could not put  
5 the show on the platform and we would still make the  
6 same money.

7 Q. You testified earlier that in addition to  
8 making a profit you also pick a distributor that  
9 would give the film the best home. What do you mean  
10 when you say "the best home," to what is that  
11 referring?

12 A. That's more of a creative reason. So it's  
13 if we're selling a cooking show, we'd prefer it to go  
14 on our like Food Network than, like, Oxygen that  
15 specializes in true crime. And if ABC wants to buy a  
16 show versus Discovery, we would want the bigger  
17 network to have that show because there would be a  
18 bigger audience, you know, just be better for the  
19 company's representation.

20 Q. So why was Amazon Prime the best home for  
21 "The Last Narc"?

22 MS. PRATHER: Objection, form. He's already  
23 testified that he doesn't know about other bidders.  
24 Calls for speculation.

25 MS. KAPPUS: I'm not asking about other